

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE
AMENDING CHAPTER 19.28 AND RELATED SECTIONS OF THE
SUNNYVALE MUNICIPAL CODE CONCERNING THE DOWNTOWN SPECIFIC
PLAN DISTRICT**

THE CITY COUNCIL OF THE CITY OF SUNNYVALE DOES ORDAIN
AS FOLLOWS:

SECTION 1. CHAPTER 19.12 AMENDED. Chapter 19.12 of the
Sunnyvale Municipal Code is hereby amended by amending Section
19.12.130(12) to read as follows:

19.12.130. "L"

(1)-(11) [Text unchanged.]

(12) "Lot Coverage" means the land area covered by all buildings on any lot, as computed from the outside dimension of each building, including corridors, supporting columns and unsupported wall projects (except eaves; uncovered balconies, porches and stairways; fire escapes; landing places; fireplaces, and similar architectural features) , and enclosed and unenclosed roofed patios where the roof is more than fifty percent solid.
Underground parking structures which do not protrude above finished grade shall not be calculated in lot coverage percentages.

(13)-(14) [Text unchanged.]

SECTION 2. CHAPTER 19.12 AMENDED. Chapter 19.12 of the
Sunnyvale Municipal Code is hereby amended by inserting a new definition in the existing Section 19.12.170(3) to read as set forth below, and renumbering the existing sections:

19.12.170. "P"

(1)-(2) [Text unchanged.]

(3) "Places of Assembly" means permanent head quarters and meeting facilities for organizations operating on a membership basis for the promotion of the interests of the members, such as business associations, professional membership organizations, labor unions and similar organizations, civic, social and fraternal organizations (not including lodging), political organizations and other membership organizations. This category includes religious uses and facilities operated for worship promotion of religious activities, including houses of worship and education and training; and accessory uses on the same site, such as living quarters for ministers and staff, and child day care facilities where authorized by the same type of land use permit required for the primary use. Other establishments maintained by religious organizations, such as full-time educational institutions, hospitals and

other related operations (such as a recreational camp) are classified according to their respective activities.
(3)-(12)(Renumbered consecutively as (4) - (13)).

SECTION 3. CHAPTER 19.44 AMENDED. Chapter 19.44 of the Sunnyvale Municipal Code is hereby amended by amending Section 19.44.020(50) to read as follows:

19.44.020.

(1)-(49) [Text unchanged.]

(50) Projecting Sign. A sign other than a wall sign which is attached to or erected against a wall, awning, canopy, fascia, fence or roof of a building. Projecting signs, except for heritage landmark signs and theater marquees are prohibited in all zoning districts except for the Downtown Specific Plan District, where projecting signs are permitted.

(51)-(70) [Text unchanged.]

SECTION 4. CHAPTER 19.28 AMENDED IN ITS ENTIRETY. Chapter 19.28 of the Sunnyvale Municipal Code is hereby amended in its entirety as set forth in Exhibit A, attached and incorporated.

SECTION 5. CEQA COMPLIANCE. As part of the process of updating the Downtown Improvement Program, the City has analyzed the environmental effects of this ordinance, certified a Program Environmental Impact Report and a Mitigation Monitoring and Reporting Program on June 17, 2003, and made necessary findings required by the California Environmental Quality Act (*Public Res. Code* §§ 21000 *et seq.*; "CEQA"). The City finds that the adoption of this ordinance is within the scope of the program EIR and no new environmental documentation is required.

SECTION 6. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 7. POSTING AND PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication once in The Sun, the official newspaper of the City of Sunnyvale, of a notice setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held on _____, 2003, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on _____, 2003, by the following vote:

AYES:

NOES:

ABSENT:

ATTEST: APPROVED:

City Clerk (SEAL)
Mayor

Chapter 19.28

DOWNTOWN SPECIFIC PLAN DISTRICT

Sections:

- 19.28.010 Downtown specific plan district established.**
- 19.28.020 Findings and purpose.**
- 19.28.030 Downtown specific plan generally.**
- 19.28.040 Regulations generally.**
- 19.28.050 Downtown Specific Plan blocks; primary uses and densities.**
- 19.28.060 Single family uses and structures.**
- 19.28.070 Permitted, conditionally permitted and prohibited uses in mixed use, commercial and office DSP blocks.**
- 19.28.080 Permitted, conditionally permitted and prohibited uses in residential DSP blocks.**
- 19.28.090 Lot area, building height and lot coverage.**
- 19.28.100 Block summaries and building setbacks.**
- 19.28.110 Landscaping and open space.**
- 19.28.120 Architectural standards.**
- 19.28.130 Signs.**
- 19.28.140 Parking requirements.**
- 19.28.150 Subdivisions.**

Section 19.28.010 Downtown specific plan district established.

A zoning district entitled "Downtown Specific Plan District" (DSP) is established as shown on the official precise zoning plan, zoning district map, city of Sunnyvale, on file in the office of the city clerk and incorporated by reference.

Section 19.28.020 Findings and purpose.

- (a) The city council makes the following findings:
 - (1) Implementation of the downtown specific plan will provide a vibrant and interesting center which includes the concentration of many activities vital to sustaining the economic strength, regional prominence, and visual image of the city.
 - (2) Implementation of the downtown specific plan will create employment and housing opportunities in an urban setting and will provide a center for social interaction for residents of the city.
- (b) It is the purpose of the provisions of this chapter to:
 - (1) Protect and promote the public health, safety, peace, comfort and general welfare;
 - (2) Establish the procedure for adoption of the orderly physical development of the district;
 - (3) Conserve property values and maintain the historic architectural and cultural qualities of properties within the district;
 - (4) Protect the character and stability of adjacent residential neighborhoods;
 - (5) Define the development procedures and administrative requirements for the district.

Section 19.28.030 Downtown specific plan generally.

The downtown specific plan is incorporated by reference. The specific plan includes architectural and downtown design guidelines, site development standards and planned public parks and other facilities which will be implemented through zoning and subdivision regulations, development standards, design guidelines, public and private improvements and an economic development strategy.

Section 19.28.040 Regulations generally.

(a) The regulations contained in this chapter shall apply in the DSP downtown specific plan district.

(b) Whenever this chapter does not provide specific standards and/or procedures for the review, approval and/or administration of development projects within the DSP district or for appeals concerning approvals or administration of development projects, the standards and procedures contained in Title 19 shall apply.

(c) The owner or occupant of land or buildings used for any purpose in the downtown specific plan district shall provide the facilities as required by and which conform with the regulations set forth in this chapter; provided however, that buildings, structures or uses lawfully constructed or established prior to the effective date of this chapter which do not comply with the provisions hereof shall be deemed legally nonconforming in accordance with the provisions of Chapter 19.50.

Section 19.28.050 Downtown Specific Plan blocks; primary uses and densities.

The downtown specific plan district is divided into subdistricts, referred to as "blocks."
The primary uses and densities for each block are listed in Table 19.28.050

Table 19.28.050
Primary Uses and Densities in DSP Blocks

District	Block	Primary Uses	Approx. Density	Res. Units	Office (total square footage)	Retail / Restaurant / Entertainment (total square footage)
Commercial Core	1	Office	N/A		450,000	10,000
Commercial Core	1a	Very High Density Residential	78 du/ac.	450		52,500
Commercial Core	2	Retail	N/A		80,000	170,891
Sunnyvale/Carroll	3	Retail Specialty Grocery	N/A			62,000
Sunnyvale/Carroll	4	Very High/Medium Density Residential	48 du/ac.	214		
Sunnyvale/Carroll	5	Very High Density Residential	40 du/ac	46		
Sunnyvale/Carroll	6	High/Medium Density Residential	36 du/ac	146		
Sunnyvale/Carroll	7	High Density Residential Retail	N/A	100	36,000	14,000
South of Iowa	8	Low-Medium Density Residential	12 du/ac	15		
South of Iowa	8a	Medium Density Residential	24 du/ac	12		
South of Iowa	8b	Low Density Residential	7 du/ac	12		
South of Iowa	9	Low-Medium Density Residential	12 du/ac	52		
South of Iowa	9a	Low Density Residential	7 du/ac	8		
South of Iowa	10	Low Medium Density Residential	12 du/ac	47		
South of Iowa	11	Low Medium Density Residential	12 du/ac	49		
South of Iowa	12	Low Medium Density Residential	12 du/ac	51		
Commercial Core	13	Retail and Low-Medium Density Residential	N/A		176,021	20,120
West of Mathilda	14	Very High Density Residential	48 du/ac.	173		10,000
West of Mathilda	15	Very High Density Residential	48 du/ac.	152		10,000
West of Mathilda	16	Very High Density Residential	48 du/acre	173		10,000
West of Mathilda	17	Low Medium Density Residential	12 du/acre	48		
Commercial Core	18	Mixed Use	N/A	200	202,000	1,007,876
Commercial Core	20	High Density Residential Office	N/A	51	16,400	
TOTAL				1,999	960,421	1,367,387

Section 19.28.060 Single family uses and structures.

- (a) Single family uses on existing, legally created lots may be maintained in all blocks.
- (b) Additions to or new construction of single family dwellings on existing, legally created lots are subject to design review provisions in Chapter 19.80.
- (c) Single family dwellings must comply with lot coverage, setback, floor area ratio and other applicable development standards for the R-0 District, as set forth in Chapters 19.32 and 19.34.

Section 19.28.070 Permitted, conditionally permitted and prohibited uses in mixed use, commercial and office DSP blocks.

- (a) Table 19.28.070 sets forth those uses which are permitted, conditionally permitted, and prohibited in mixed use, commercial and office DSP blocks and the type of approval a use requires.
- (b) It is a violation of this chapter to:
 - (1) Engage in a use that is conditional without complying with the imposed conditions;
 - (2) Engage in a prohibited use.
 - (3) Engage in a use requiring a miscellaneous plan permit, use permit or special development permit without obtaining the required permit.
- (c) All permitted uses which require no new construction or additions or changes to the exterior of the building may be conducted within existing enclosed buildings. New construction or additions to any use, other than a single family home requires a special development permit as set forth in Chapter 19.90, except that Block 2 (commercial historic) also requires a landmark alteration permit as set forth in Chapter 19.96. Minor changes to the exterior of a building may be approved by the director of community development by a miscellaneous plan permit as set forth in Chapter 19.82.

**TABLE 19.28.070
Permitted, Conditionally Permitted and Prohibited Uses in
Mixed Use, Commercial and Office DSP Blocks.**

In the table, the letters and symbols are defined as follows:

P = Permitted use

SDP = Special development permit required

MPP = Miscellaneous plan permit required

N = Not permitted, prohibited

DSP MIXED USE, COMMERCIAL AND OFFICE BLOCKS	1	1a	2	3	7	13	18	20
1. Residential								
A. Single-family dwelling and accessory buildings and uses developed on an existing, legally created lot	N	N	N	N	N	SDP	N	SDP
B. Single room occupancy (SRO) facilities	N	SDP	N	N	SDP	SDP	SDP	SDP
C. Two-family dwelling (duplex)	N	N	N	N	N	SDP	N	SDP
D. Multiple-family dwellings (3 or more units, or more than one main building) and accessory buildings and uses	N	SDP	SDP	SDP	SDP	SDP	SDP	SDP
E. Boarding for less than three persons	N	P	P	P	P	P	P	P
F. Facilities caring for 6 or fewer persons, as declared by the state to be a residential use	N	P	P	P	P	P	P	P
G. Small Family Day Care	N	P	N	N	P	P	P	P
H. Large Family Day Care	N	UP	N	N	UP	UP	UP	UP
2. Recreational Uses								
A. Amusement and entertainment establishments	SDP	SDP	SDP	SDP	SDP	N	P	SDP

DSP MIXED USE, COMMERCIAL AND OFFICE BLOCKS	1	1a	2	3	7	13	18	20
B. Places of assembly such as lodge hall, social club or religious use	N	SDP	SDP	SDP	SDP	N	N	SDP
C. Parks, playgrounds and recreational areas	SDP	SDP	SDP	SDP	SDP	SDP	SDP	SDP
D. Theaters, including both movie theaters and theaters for live performances	SDP	SDP	SDP	SDP	N	N	SDP	N
3. Commercial Uses								
A. Assembly, compounding, manufacture or processing of merchandise or products, except such as are customarily incidental or essential to permitted retail commercial and service uses	N	N	N	N	N	N	N	N
B. Automobile service stations	N	N	N	N	N	N	N	N
C. Automobile vehicle-related parts sales,	N	N	N	N	N	N	N	N
D. rentals, sales, repair or services uses								
E. Cardrooms	N	N	N	N	N	N	N	N
F. Child care center	SDP	SDP	SDP	SDP	SDP	SDP	SDP	SDP
G. Drive-through businesses	N	N	N	N	N	N	N	N
H. Financial institutions such as banks and	MPP	MPP	MPP	MPP	MPP	MPP	MPP	MPP
I. savings and loans								
J. Hotels and Motels	SDP	SDP	N	SDP	SDP	SDP	N	N
K. Office: administrative, professional, medical and R&D (except ground floor)	P	P	P	SDP	P	SDP	P	P
L. Office: ground floor administrative, professional and medical (ground floor dependent; not to exceed 1000 square feet per shopping center)	P	P	P	SDP	P	SDP	P	P
M. Office: ground floor administrative, professional, medical and R&D (not ground floor dependent or in excess of 1000 square feet per shopping center)	P	P	MPP ₁	SDP ₁	MPP ₁	SDP ¹	P	P
N. Personal service shops such as barber and beauty shops	SDP	P	P	P	P	SDP	P	P
O. Package liquor retail sales, when not combined with another permitted use	N	SDP	N	SDP	SDP	N	SDP	N
P. Pawn broker shops	N	N	N	N	N	N	N	N
Q. Public premises for which on-sale beer, on-sale beer and wine or on-sale general licenses for the sale of alcoholic beverages have been issued	SDP	SDP	SDP	SDP	SDP	SDP	SDP	SDP
R. Repair shops for household appliances and wearing apparel	SDP	P	P	P	P	SDP	P	SDP
S. Retail business, including take-out retail food establishments	P	P	P	P	P	SDP	P	SDP
T. Retail Services such as laundry, repair shops, etc.	P	P	P	P	P	P	P	P
U. Restaurants and fast food restaurants with no alcohol sales	P	P	P	SDP	SDP	SDP	P	SDP
V. Schools, such as business, professional and dance	SDP	SDP	SDP	SDP	SDP	SDP	SDP	SDP
4. Accessory Uses								
A. Retail commercial uses incidental to and in combination with residential uses;	SDP	SDP	SDP	SDP	SDP	SDP	SDP	SDP
B. Outdoor dining in conjunction with an approved restaurant use	MPP	MPP	MPP	MPP	MPP	MPP	MPP	MPP
5. Temporary Uses								
A. Construction yard, subject to approval of director of public works	MPP	MPP	MPP	MPP	MPP	MPP	MPP	MPP

DSP MIXED USE, COMMERCIAL AND OFFICE BLOCKS	1	1a	2	3	7	13	18	20
6. Other Uses								
A. Adult entertainment establishments	N	N	N	N	N	N	N	N
B. Electric transmission substations	N	N	N	N	N	N	N	N
C. Massage establishments ²	P	P	P	P	P	P	P	P
D. Parking structures	SDP	SDP	SDP	SDP	SDP	SDP	SDP	SDP
E. Public service buildings and accessory uses	SDP	SDP	SDP	SDP	SDP	SDP	SDP	SDP
F. Public transportation facilities	SDP	SDP	SDP	SDP	SDP	SDP	SDP	SDP
G. Public utility buildings and service facilities	N	N	N	N	N	N	N	N
H. Recycling centers in convenience zones as required by Public Resources Code Section 14500, et seq.	N	N	N	SDP	SDP	SDP	SDP	N
I. Unenclosed uses other than outdoor dining	SDP	SDP	SDP	SDP	SDP	SDP	SDP	SDP
J. Sale or rental of motor vehicles of all kinds	N	N	N	N	N	N	N	N
K. Sale or rental of heavy equipment or machinery	N	N	N	N	N	N	N	N
L. Storage or parking of commercial, industrial or public utility vehicles	N ³	N ³	N ³	N ³	N ³	N ³	N ³	N ³
M. Wholesale storage or warehousing of merchandise or products within a building	N	N	N	N	N	N	N	N
N. Any use which is obnoxious, offensive or creates a nuisance to persons in adjacent buildings or premises by reason of the emission of dust, fumes, glare, heat, liquids, noise, odor, smoke, steam, vibrations, or similar disturbances	N	N	N	N	N	N	N	N

Note:

¹ Any lease for office use entered into prior to June 1, 2001 and any subsequent renewals of such existing leases, shall not be subject to the permit requirements set forth in this section. New office leases entered into with new or different tenants on or after June 1, 2001 shall be subject to the provisions of this section.

² Subject to provisions of Chapter 9.41.

³ Except that daytime and overnight parking of up to five commercial motor vehicles (of a type that are less than 10,000 pounds in gross vehicle weight with not more than two axles) that are owned or operated by the person(s), company or business which conducts the primary use is permitted, provided the vehicles are used for purposes of delivery, pick up or service to patrons of the primary use only, do not utilize on-site required parking and are not utilized for purposes of advertising.

Section 19.28.080 Permitted, conditionally permitted and prohibited uses in residential DSP blocks.

(a) Table 19.28.080 sets forth those uses which are permitted, conditionally permitted, and prohibited in residential DSP blocks and the type of approval a use requires.

(b) It is a violation of this chapter to:

(1) Engage in a use that is conditional without complying with the imposed conditions;

(2) Engage in a prohibited use.

(3) Engage in a use requiring a miscellaneous plan permit, use permit or special development permit without obtaining the required permit.

(c) All permitted uses which require no new construction or additions or changes to the exterior of the building may be conducted within existing enclosed buildings. New construction within any block requires a special development permit as set forth in Chapter 19.90, except that Block 2 (commercial historic) also requires a landmark alteration permit as set forth in Chapter 19.96. Minor changes to the exterior of a building may be approved by the director of community development by a miscellaneous plan permit as set forth in Chapter 19.82.

TABLE 19.28.080
Permitted, Conditionally Permitted and Prohibited Uses in
Residential DSP Blocks

In the table, the letters and symbols are defined as follows:

P = Permitted use
SDP = Special Development Permit required
MPP = Miscellaneous plan permit required
N = Not permitted, prohibited

DSP RESIDENTIAL BLOCKS	4, 5, 14, 15, 16	6, 10a	8, 9, 10, 11, 12 and 17	8a	8b, 9a
1. Residential					
A. Single-family dwelling and accessory buildings and uses developed on an existing, legally created lot	P	P	P	P	P
B. Single Room Occupancy (SRO) facilities	SDP	N	N	N	N
C. Two-family dwelling (duplex)	N	N	P	N	N
D. Multi-family dwellings (3 or more units, or more than 1 main dwelling)	SDP	SDP	SDP	SDP	SDP
E. Boarding and lodging for less than three persons	P	P	P	P	P
F. Facilities caring for 6 or fewer persons, as declared by the state to be a residential use	SDP	SDP	P	SDP	P
E. Residential mobilehome park site	N	N	N	N	N
2. Recreational Uses					
A. Parks, playgrounds and recreational areas	SDP	SDP	SDP	SDP	SDP
3. Commercial Uses					
A. Child care/day care center/nursery schools	SDP	SDP	SDP	SDP	SDP
B. Cardrooms	N	N	N	N	N
C. Hotels or motels	SDP	N	N	N	N
D. Small family day care	P	P	P	P	P
E. Large family day care	UP	UP	UP	UP	UP
F. Rest Homes	SDP	SDP	SDP	SDP	SDP
G. Automobile or other independent motor vehicle-related uses, including but not limited to, auto parts sales and auto rentals, sales, repair and services uses	N	N	N	N	N
5. Accessory Uses					
A. Accessory living units	SDP	SDP	SDP	SDP	SDP
B. Accessory utility buildings	MPP	MPP	MPP	MPP	MPP
C. Retail commercial uses incidental to and in combination with residential uses	SDP	SDP	SDP	SDP	SDP
D. Storage or parking of commercial, industrial or public utility vehicles, except for the purpose of loading or unloading	N	N	N	N	N
6. Temporary Uses					
A. Residential sales office for new development	MPP	MPP	MPP	MPP	MPP
B. Construction yard, subject to approval of director	MPP	MPP	MPP	MPP	MPP

DSP RESIDENTIAL BLOCKS	4, 5, 14, 15, 16	6, 10a	8, 9, 10, 11, 12 and 17	8a	8b, 9a
of public works					
7. Other Uses					
A. Office: administrative, professional and medical	N	N	SDP	SDP ¹	N
B. Adult entertainment establishments, as defined in this code	N	N	N	N	N
C. Places of assembly such as lodge hall, social club or religious use.	SDP	SDP	SDP	SDP	SDP
D. Electric transmission substations	N	N	N	N	N
E. Massage establishments ²	P	P	P	P	P
F. Non public schools (K-12)	SDP	SDP	SDP	SDP	SDP
G. Public service buildings and accessory uses	SDP	SDP	SDP	SDP	SDP
H. Public utility buildings and service facilities	N	N	N	N	N
I. Recycling centers	SDP	N	N	N	N
J. Storage of materials, supplies or equipment for nonresidential purposes	N	N	N	N	N
K. Sale or rental of heavy equipment or machinery commonly used for agricultural, construction, industrial, mining, transportation or building service purposes	N	N	N	N	N
L. Any use which is obnoxious or offensive or creates a nuisance	N	N	N	N	N

Footnotes

¹ Within an existing building.

² Subject to provisions of Chapter 9.41.

Section 19.28.090 Lot area, building height and lot coverage.

- (a) Each lot in each block shall conform to the provisions for minimum lot size as set forth in Table 19.28.090. All new development must meet the minimum lot size to proceed with development approval, with the exception of legal nonconforming single-family residential lots.
- (b) Building heights and lot coverages for every property in every block of the DSP district shall be in accordance with the provisions set forth in Table 19.28.090.

Table 19.28.090
Lot area, building height and lot coverage

Block	Min. Lot Size (acre)	Max. Height	Max. Stories	Max. Lot Coverage
1	0.60	100 ft.	6	Per SDP ¹
1a	0.30	85 ft. ²	6	Per SDP
2	No min. ³	36 ft.	2	Per SDP
3	No min.	50 ft.	4	Per SDP
4	0.50	30-40 ft.	2-3 ⁴	45 %
5	0.25	40 ft.	4	45 %
6	0.25	30-40 ft. ⁴	2-3	60 %
7	N/A	50 ft.	4	60 %
8	0.14	30 ft.	2	60 %
8a	0.25 ⁵	30 ft.	2	60 %
8b	0.30	30 ft.	2	40 %
9	0.25	30 ft.	2	60 %
9a	0.14	30 ft.	2	40 %
10	0.25	30 ft.	2	60 %
11	0.25	30 ft.	2	60 %
12	0.25	30 ft.	2	60 %
13	0.40	30 - 50 ft. ⁶	2-4	Per SDP
14	0.75	30-50 ft. ⁷	2-4	Per SDP
15	0.75	30-50 ft. ⁷	2-4	Per SDP
16	0.75	30-50 ft.	2-4	Per SDP
17	0.16	30 ft.	2	40%
18	0.30	75 ft. ⁸	5	Per SDP
20	No min.	30-40 ft. ⁹	3	60%

1 Per SDP (Special Development Permit) means that lot coverage shall be evaluated on a project by project basis.

2 Maximum height includes any rooftop equipment or elevator shafts.

3 Minimum lot size is 2,800 sq. ft. for individual developments.

4 Maximum height along Washington/McKinley Avenues is 30 ft. (2 stories)

5 Minimum lot size is 2,600 sq. ft. for individual developments.

6 Maximum height along Taaffe Street is 30 ft. (2 stories)

7 Maximum height along Charles Street is 30 ft (2 stories); along Mathilda Avenue is 50 ft. (4 stories)

8 Exception of 80 ft. for mid-block movie theaters.

9 40 ft. for the northern half of the block and 30 ft. for the southern half.

Section 19.28.100 Block summaries and building setbacks.

Each lot in each block shall conform to applicable provisions for frontage, interior side and rear setbacks, as set forth in Tables 19.28.100 (a) through (e). Covered porches, stoops, and stairways may extend up to 6 ft. into any required front yard.

Table 19.28.100 (a)

Development Standards for Commercial Core District Blocks 1, 1a, 2 and 3

	Block 1	Block 1a	Block 2	Block 3
Primary Uses Allowed	Office Retail	High Density Residential Retail	Restaurant, Entertainment and Retail Office on 2nd floor only	Service retail Grocery District Parking
Min Development Size	0.60 ac.	0.30 ac.	No min.	No min.
Max. Amount Retail	10,000 sq. ft.	52,500 sq. ft.	170,891 sq. ft. of retail/ restaurant/ entertainment	27,000 sq. ft. retail 35,000 sq. ft. grocery
Max. Amount of Office	450,000 sq. ft.	0	80,000 sq. ft. of office	0
Max. Number of Units	0	450	0	0
Maximum Residential Density	N/A	78 du/acre	N/A	N/A
Max. Lot Coverage	100%	100%	100%	100%
Max. Height	100 ft. (6 stories)	85 ft. (6 stories) including rooftop mechanical	36 ft. (2 stories)	50 ft. (4 stories)
Required Right-of-Way Dedication	None	10 ft. along east side of Aries 6 ft. along west side of Frances St. south of Capella	5 ft. along Evelyn Avenue 3 ft. along Sunnyvale Avenue	5 ft. along Evelyn Avenue 3 ft. along Sunnyvale Avenue
Min. Front Setback/Build-to Requirement (see diagram)				
• Washington Ave.	0 ft.	0 ft.	0 ft.	0 ft.
• Capella Way	N/A	0 ft.	N/A	N/A
• Taaffe Way	N/A	0 ft.	N/A	N/A
• Evelyn Ave.	0 ft.	0 ft.	0 ft.	0 ft.
• Aries Way	0 ft.	0 ft.	N/A	N/A
• Sunnyvale Ave.	N/A	N/A	0 ft.	0 ft.
• Altair Way	0 ft.	0 ft.	N/A	N/A
• Carroll St.	N/A	N/A	N/A	0 ft.
• Frances St.	0 ft.	0 ft.	0 ft.	N/A
Min. Interior Setbacks				
• Side Setback	0 ft.	0 ft.	0 ft.	0 ft.
• Rear Setback	0 ft.	0 ft.	0 ft.	0 ft.

	Block 1	Block 1a	Block 2	Block 3
Min. Landscaped Area	All areas not devoted to driveways and surface access zones	All areas not devoted to driveways and surface access zones	None	All areas not devoted to driveways and surface access zones
Min. Useable Open Space	N/A	50 sq. ft./unit	N/A	N/A
Type of Parking	Underground structures	Underground structures		Structured and surface parking
Special Design Features	None	None	Comply with Murphy Avenue Design Guidelines	None

Table 19.28.100(b)
Development Standards for Commercial Core District Blocks 13, 18 and 20

	Block 13	Block 18	Block 20
Primary Uses Allowed	Office and Service Retail and Low-Medium Density Residential	Retail, Entertainment, Office and High Density Residential	Office High Density Residential
Min Lot Size	0.4 ac.		No min.
Max. Office/Retail Sq. Ft.	176,891 sq. ft. office 20,120 sq. ft. retail/restaurant	1,007,897 sq. ft. retail/restaurant/entertai nment 202,000 office	16,400 sq. ft. office
Max. Residential Units	N/A	200 units	51 units
Maximum Density	14 du/acre for townhouses along Taaffe Street	N/A	36 du/acre for northern half of the block
Max. Lot Coverage	Per SDP	Per SDP	60% max
Max. Height	Office uses - 50 ft. (3 stories) Residential – 30 ft. (2 stories)	75 ft. (5 stories) Up to 80 ft. for movie theaters at the interior of the block	40 ft. (3 stories) for high-density residential on the north half of the block 30 ft. for office uses on the south half of the block
Required Right-of-Way Dedications	10 ft. along Mathilda Avenue	5 ft. along Mathilda Avenue north of Booker 10 ft. along Mathilda south of Booker 5 ft. along Iowa between Mathilda and Parking Garage B.	10 ft. along Mathilda Avenue
Min. Setbacks/Build-to Requirements (see diagram) 0 ft.			
• Mathilda Ave	0 ft.	0 ft.	0 ft.
• McKinley Ave.	0 ft.	0 ft.	N/A

	Block 13	Block 18	Block 20
• Taaffe St.	10 ft.	0 ft.	N/A
• El Camino Real	N/A	N/A	30 ft.
• Sunnyvale Ave.	N/A	0 ft.	N/A
• Olive Ave.	10 ft.	N/A	10 ft.
Min. Interior Setbacks			
• Side	0 ft.	0 ft.	6 ft.
• Rear	0 ft.	0 ft.	20 ft.
Min. Landscaped Area	All areas not devoted to driveways and surface access zones	All areas not devoted to driveways and surface access zones.	All areas not devoted to driveways and surface access zones
Min. Useable Open Space	500 sq. ft./unit	50 sq. ft/unit	380 sq. ft./unit
Type of Parking	Surface Parking or Above-Ground Structures	Above grade structures and surface parking	Structured and surface (underground is encouraged)
Special Design Features	None	Downtown Gateway at Mathilda/Washington	None

Table 19.28.100(c)
Development Standards for Sunnyvale/Carroll District Blocks 4, 5, 6 and 7

	Block 4	Block 5	Block 6	Block 7
Primary Uses Allowed	High Density and Medium Density Residential	High Density Residential	High Density and Medium Density Residential	High Density Residential and Retail
Min Development Size	0.5 acres	0.25 acres	0.25 acres – suggested	No min.
Max. Retail/Office	None	None	None	36,000 sq. ft. office 14,000 sq. ft. retail
Max. Residential Units	214	46	146	100
Approximate Residential Density	48 du/acre generally with max 24 du/acre on Washington	40 du/acre	48 du/acre generally with Townhouse Density of up to 24 du/acre on Washington and McKinley frontages.	28 du/acre
Max. Lot Coverage	45%	45%	60%	60%
Max. Height	40 ft. (3 stories) and 30 ft. (2 stories) on Washington	40 ft. (3 stories)	40 ft. (3 stories) and 30 ft. (2 stories) on Washington and McKinley	50 ft. (4 stories)
Required Right-of-Way Dedications	None	None	None	3 ft. on east side from Iowa to Washington
Min. Front Setback/Build-to Requirement				

	Block 4	Block 5	Block 6	Block 7
• Washington Ave.	12 ft.	N/A	12 ft.	12 ft.
• Sunnyvale Ave.	N/A	N/A		N/A
• Evelyn Ave.	18 ft.	18 ft.		12 ft.
• Bayview Ave.	N/A	12 ft.		18 ft.
• Carroll Ave.	12 ft.	N/A		Min Interior Setbacks
Min. Interior Setbacks				
• Side	6 ft.	6 ft.	6 ft.	6 ft.
• Rear	20 ft.	20 ft.	20 ft.	20 ft.
Min. Landscaped Area	Min 20% of lot area	Min 20% of lot area	Min 20% of lot area	Commercial uses: All areas not devoted to driveways and surface access zones. Residential uses: 20% of the lot area
Min. Useable Open Space	50 sq. ft./unit	50 sq. ft./unit	50 sq. ft./unit	50 sq. ft./unit for residential uses
Type of Parking	Below-grade, or surface (above ground allowed only if completely hidden from view)	Below-grade, or surface (above ground allowed only if completely hidden from view)	Below-grade, or surface (above ground allowed only if completely hidden from view)	Below-grade, above grade or podium
Special Design Features	Residential Gateways at Carroll and Washington	None	None	Res. Gateway elements at intersection of Sunnyvale and McKinley

Table 19.28.100(d)
Development Standards for South of Iowa District Blocks 8, 8a, 8b, 9, 9a, 10, 11 and 12

Blocks 8, 8a, 8b, 9, 9a, 10, 11 And 12	
Primary Uses Allowed	Blocks 8 and 9 – Low Density Residential Blocks 8a, 9a, 10, 11 and 12 – Low-Medium Density Residential Block 8b - Medium Density Residential Block 9 – Low Density Residential
Min Development Size	Blocks 8 and 9 – 0.14 ac. Blocks 8b, 9a, 10, 11 and 12 - 0.25 ac.
Approximate Maximum Density	Blocks 8 and 9 – 7 du/acre Blocks 8a, 9a 10, 11 and 12 – 14 du/acre Block 8b – 24 du/acre
Max. Lot Coverage	Blocks 8a, 8b, 9a, 10, 11 and 12 - 60% Blocks 8 and 9 – 40%
Max. Height	30 ft. (2 stories)

Blocks 8, 8a, 8b, 9, 9a, 10, 11 And 12	
Required Right-of-Way Dedications	None
Min. Setbacks/Build-to Requirements (see diagram)	
• McKinley Ave	13 ft.
• Carroll Ave.	20 ft.
• Iowa Ave.	13 ft.
• Sunnyvale Ave.	18 ft.
• Taaffe Street	18 ft.
• Frances Street	18 ft.
• Murphy Avenue	18 ft.
• Olive Ave.	13 ft.
Min. Interior Setbacks	
• Side	4 ft.
• Rear	20 ft.
Min. Landscaped Area	20% of lot area
Min. Useable Open Space	500 sq. ft./unit
Min. Parking Spaces	2/2-bdrm units and above 1.75/1-bdrm and studio 4/single family home (2 covered and 2 uncovered)
Type of Parking	Surface
Special Design Features	Res. Gateway elements at intersection of Sunnyvale / Iowa, Murphy / Iowa, Frances / Iowa and Taaffe / Iowa

Table 19.28.100(e)
Development Standards for West of Mathilda District Blocks 14, 15, 16 and 17

	Blocks 14, 15 and 16	Block 17
Primary Uses Allowed	High Density Residential Retail	Low-Medium Density Residential
Min Development Area	0.75 acre	8,000 sq. ft.
Max. Residential Units	Block 14 – 173 units Block 15 – 152 units Block 16 – 173 units	48 units
Approximate Maximum Density	48 du/acre	12 du/acre
Max. Lot Coverage	100%	40%
Max. Height	50 ft. (4 stories) on Mathilda and 30 ft. (2 stories) along Charles	30 ft. (2 stories)
Required Right-of-Way Dedications	33 ft. along Mathilda Avenue	None
Min. Setbacks/Build-to Requirements (see diagram)		
• Mathilda	0 ft. (after 33 ft. dedication)	12 ft.
• McKinley Ave.	10 ft.	N/A
• Iowa Ave.	10 ft.	N/A
• Charles Ave.	10 ft.	10 ft.
• Washington Ave.	10 ft.	10 ft.
• Evelyn Ave.	N/A	18 ft.
• Olive Ave.	10 ft.	N/A

	Blocks 14, 15 and 16	Block 17
Min. Interior Setbacks		
• Side	6 ft.	4 ft.
• Rear	10 ft.	20 ft.
Min. Landscaped Area	Min. 20% of lot area	Min. 20% of lot area
Min. Useable Open Space	50 sq. ft./unit	500 sq. ft./unit
Type of Parking	Below grade structures or podium parking if structure is completely hidden from public view.	Surface Parking
Special Design Features	Neighborhood Gateway at Iowa /Mathilda, McKinley/Mathilda and Washington/Mathilda	None

Section 19.28.110 Landscaping and open space.

- (a) Landscaping and open space standards apply whenever landscaping is installed on any unlandscaped lot or in connection with new construction, replacement or expansion in floor area of any structure in the downtown specific plan area.
- (b) All public rights-of-way, private streets or driveways, easements, building and structure setbacks, plazas, pedestrian walkways and parking facilities shall provide landscaping as required and described in the downtown specific plan and shall meet the minimum standards set forth in Section 19.38.070.
- (c) Project landscaping shall be designed and planted to be consistent with the streetscape design themes and landscaping provisions set forth in the downtown specific plan streetscape design standards.
- (d) Residential uses are required to provide useable open space, as defined in Section 19.38.070(h), with the following exceptions:
 - (1) Useable open space may be located in the front yard between the face of the building and the street for Multiple-family uses.
 - (2) Balconies with a minimum of 6 ft. in any dimension and a total of at least 50 sq. ft. qualify as useable open space.
- (e) At a minimum, landscaping and open space areas shall meet the requirements set forth in Table 19.28.110.

Table 19.28.110
Landscaping And Open Space

Type of Use	Minimum Landscaping	Minimum Open Space
Commercial Uses (Retail, Retail Service, Restaurant, Entertainment, etc.) or Office Uses	All areas not devoted to driveways and surface access zones such as aisles, parking and ramps shall be landscaped.	No requirement
Office Uses	All areas not devoted to driveways and surface access zones such as aisles, parking and ramps shall be landscaped.	No requirement
Low and Low-Medium Density Residential Uses	20% of lot area	500 sq. ft. /unit
Medium, High and Very High Density Residential Uses	20% of lot area	50 sq. ft./unit
Surface Parking Lots	20% of the parking lot area	No requirement
Other uses not listed above	To be determined by the Director of Community Development	To be determined by the Director of Community Development

Section 19.28.120 Architectural standards.

(a) The architectural guidelines for the downtown specific plan shall be applicable to all new development and to all redevelopment or rehabilitation involving changes to the exterior of an existing structure.

(b) All new development shall incorporate the architectural design, features and elements found in both the general design guidelines and district-specific guidelines set forth in the downtown specific plan.

Section 19.28.130 Signs.

(a) Each sign shall comply with the requirements of Chapter 19.44 and shall incorporate design elements and features recommended by the downtown specific plan, and, where applicable, the Murphy Avenue design guidelines.

(b) Any sign proposed for block 2, the Murphy Station heritage landmark district, shall require a landmark alteration permit, in accordance with Chapter 19.96.

(c) Projecting signs are allowed for all nonresidential uses. Signs must meet the following specifications:

- (1) A maximum of one projecting sign per public entrance.
- (2) A maximum sign size of 6 sq. ft. per side or two-thirds of the sidewalk width, whichever is larger.
- (3) The sign shall not project farther than 6 ft. from the building façade.
- (4) The bottom of the sign shall not be lower than 8 ft. from the ground.
- (5) Signs shall be placed no higher than the lowest cornice line, or the lowest second floor opening.

Section 19.28.140 Parking requirements.

The owner or occupant of land or buildings used for any purpose within the DSP district, except uses within the boundaries of a parking district created by the action of the city council, shall provide off-street parking and loading areas and facilities. Shared parking for differing uses may be considered and is encouraged for trip reduction programs such as car sharing and other transportation demand management programs. Parking analysis will be evaluated with the application submittals for the special development permit.

The following table shows minimum parking ratios for specific land uses. Final parking requirements will be determined through project review and approval.

TABLE 19.28.140
Parking requirements

Land Use	Number of Parking Spaces Required	Maximum Percentage of Compact Spaces Allowed
Single Family Residential	1 covered + 1 uncovered	None
Single Family Residential with Accessory Living Unit	1 covered + 2 uncovered	None
Multiple-family Residential Studio or 1 bdrm	1 assigned and covered/unit + 0.75 unassigned /unit ¹	35% of uncovered, unassigned spaces in lots with more than 10 spaces
Multiple-family Residential 2-bdrm or more	1 assigned and covered/unit + 1 unassigned /unit ¹	35% of uncovered, unassigned spaces in lots with more than 10 spaces
Office/Retail	1/250 sq. ft.	10% ²
Restaurant without Bar	1/110 sq. ft.	10% ²
Restaurant with Bar	1/75 sq. ft.	10% ²
Bar only	1/50 sq. ft.	10% ²
Restaurants with 100% fixed seating and no bar	½ fixed seats + 1/400 sq. ft. of area not devoted to seating	10% ²
Assembly/Theater	1/3 seats	10% ²
Any use within the parking district	Parking requirements consistent with zoning code unless special circumstances arise	Not applicable

¹ If more than one space is assigned per unit, additional parking may be required.

² 50% of compact spaces must be along the periphery and as employee parking. The remaining 50% may be interspersed throughout the lot.

Section 19.28.150 Subdivisions.

All subdivisions and parcel maps shall comply with the minimum subdivision regulations, standards and improvements as set forth in Title 18, with the following special considerations:

- (a) Minimum lot area shall conform to the requirements in Table 19.28.090.
- (b) Remnant parcels which do not meet minimum lot area requirements shall not be created. A parcelization plan for a block shall be submitted to the director of community development as part of the special development permit review process.
- (c) Whenever a subdivision or merger of land or a map is required to be filed in connection with a project within the DSP district, no building permit shall be issued for the project unless and until all of the requirements, including recordation, related to final subdivision or parcel maps have been met, unless otherwise approved, in writing, by the director of community development.